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DEPARTMENT FOR AF DAS YAMAMOTO AND ASSISTANT SECRETARY
FRAZER

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TAGS: [PREL](#) [PBTS](#) [MOPS](#) [KPKO](#) [ET](#) [ER](#)
SUBJECT: DEPUTY FOREIGN MINISTER TEKEDA ASKS FOR
CONSULTATION PRIOR TO EEBC

REF: A. ADDIS ABABA 542

[1](#)B. ADDIS ABABA 385

Classified By: CHARGE D'AFFAIRES VICKI HUDDLESTON. REASON: 1.4 (D).

[1](#)1. (C) SUMMARY AND ACTION REQUEST. Ethiopia's State Minister for Foreign Affairs Tekeda and Charge had a good exchange on the question of Ethiopia's attendance at the March 10 EEBC meeting with Tekeda promising to consider responding favorably to the EEBC invitation but with a caveat that the final decision would be made after consultations with Washington. Tekeda asked that DAS Yamamoto or AS Frazer visit prior to the EEBC and lay out a more detailed road map.

Tekeda accepted Charge's assurances that we understood and intended to meet Prime Minister Meles' three bottom lines, namely: technical discussion on border demarcation; facilitation by General Fulford; and a dialogue on normalization of relations. Charge argued that Ethiopia should attend the EEBC because there the demarcation discussions would be decided in accordance with international practice, e.g. Nigeria/Cameroon and Fulford would become the facilitator. We could not provide guarantees on a dialogue on normalization, but our full intention was to ensure that these talks occurred before final demarcation in order to ensure a lasting peace. Although Tekeda raised first the condition that Eritrea allow UNMEE to return to full operations, Charge stated that this was not a precondition. The UNMEE issue would be addressed in the context of the EEBC meeting. Tekeda reviewed the history of the issue in detail.

His major concern is that the USG might not have the process fully crafted and therefore there is room for failure, and worse the possibility of putting Meles and Ethiopia in an untenable position. A visit by Yamamoto or Frazer is needed to reassure Meles and to demonstrate USG good will and commitment. A phone conversation between Meles and Dr. Frazer might suffice also. END SUMMARY.

[1](#)2. (U) On February 28, Charge and deputy pol/econ counselor met with Ethiopian State Minister for Foreign Affairs Dr. Tekeda Alemu. Advisor to the State Minister Gerehiwot Redai, Acting Director General for Europe and North America Girum Abay (ambassador-designate to Italy), and Counselor for Europe and America Ayalew Mamo, accompanied Minister Tekeda.

TEKEDA MAKES HIS CASE

[1](#)3. (C) "We are not nervous; we are confused," he said. Tekeda asserted that the current crisis had begun with Eritrea's "heightening" of tensions, leading to the passage of UNSCR 1640. Ethiopia had pursued a "rational response" by "immediately" withdrawing its troops away from the border to

December 2004 positions, whereas Eritrea "took additional steps and defied" the resolution. "Any logical person would have expected steps to be taken against Eritrea," he said, as it was "absolutely clear which party did not comply." The USG's call to wait one month prior to making any changes to the mandate of the United Nations Mission in Ethiopia and Eritrea (UNMEE), while the United States sought to address the impasse between Ethiopia and Eritrea, was "a relief," he said, as UNSC members did not know how to respond to Eritrea's violations. A request for the GOE to issue permanent identification to 70-80 UNMEE staff members (who had been expelled from Eritrea to Ethiopia) underscored Eritrea's continued violation of the cease-fire agreement, he said, adding that the GOE was concerned that issuing such identification would be tacit recognition of "a fait accompli." Such violations were "a gun pointed at our head by Eritrea; that's where the confusion comes from."

14. (C) Continued Eritrean restrictions on UNMEE posed a possible obstacle to Ethiopia's attendance of the next Ethiopia-Eritrea Boundary Commission (EEBC), Tekeda said: "Honestly speaking, it would be very difficult for us to go while the cease-fire agreement is in tatters." He noted that UNMEE was supposed to assist in demarcation, and that the two Algiers accords included one on the boundary, and another on the cease-fire. While UNSCR 1640 was supposed to "restore" the inviolability of the Temporary Security Zone, "there is no indication" that Eritrea intends to reverse its restrictions on UNMEE. Eritrea was getting assurances that it could continue to violate international agreements, he said, as it was "being rewarded" for "insulting" the international community and the UN SYG. "Ethiopia will not move unless we see some indication that Eritrea will move away from the precipice," Tekeda said. Tekeda expressed concern about the GSE's February 27 public statement. (NOTE: the Eritrean MFA statement at www.shabait.com states, inter

alia, that Eritrea "does not recognize or accept" "deviations" from the EEBC's "final and binding" decision. END NOTE.) Citing the February 22 Witnesses' statement, Tekeda said that Ethiopia wanted to see concrete actions from Eritrea to reverse restrictions on UNMEE, Tekeda said. Charge responded that as much as the United States desired this as well, this had never been a precondition to participation in the EEBC, nor had it ever been raised by the Prime Minister in previous discussions.

15. (C) Turning to a more serious concern, Tekeda recalled that rather than provide the USG with a memorandum on its views of the border, Prime Minister Meles Zenawi had raised Ethiopia's concern with A/S Frazer on January 20 (ref B) that there was "absolutely no way the boundary commission can take the lead" in addressing the disposition of disputed areas. Instead, "the lead of the parties must be fulfilled," which could only be done through dialogue. Tekeda agreed that "technical discussions" could replace the GOE's insistence on "dialogue," if it meant that both parties were meeting and exchanging views. Demarcation and normalization of relations "must go hand in hand," he said.

16. (C) Ethiopia needed assurances from the USG that the EEBC would conform to Ethiopia's redlines, Tekeda said, particularly as the peace process was now "completely in your hands." "We are absolutely beholden to you, so we must be clear where we are heading," he said. Tekeda noted that prior to the February 22 meeting of the Witnesses to the 2000 Algiers accord, the GOE was concerned that "it might not be in line with what we were hoping for." Indeed, he added, the first draft of the February 22 Witnesses' statement was "awful": "We came across it, and we were disappointed." Saying that the level of trust between Ethiopia and the EEBC was "extremely, extremely low," Tekeda complained that the GOE had received an invitation to attend the March 10 EEBC meeting even before the Witnesses had convened on February 22, and that the EEBC was demanding a reply within 5 days, at the same time that Eritrea continued to violate the Algiers accord. (NOTE: The EEBC's invitation to FM Seyoum, dated February 24, requests that parties reply by March 2. END

NOTE.) Charge explained that the deadline was driven by the UNSCR convening to assess progress in response to UNSCR 1640 on March 15.

CHARGE MAKES THE CASE

17. (C) Charge responded that the Prime Minister had told Dr. Frazer that the primary issue was not the demarcation of the border but the overall peace settlement. Unfortunately, to some degree this was the perception that much of the international community had held until recently. For this reason some had considered Ethiopia as going beyond final and binding delimitation and demarcation by calling for normalization of relations that was not contained in the Algiers Agreement. Now, however, Ethiopia had taken a number of steps that were causing the "tide to change". Foremost among these steps was the decision to drop the words "in principle" when referring to final and binding, the redeployment of troops in response to UN Resolution 1640, and the facilitation of Dr. Frazer's visit to the border. Now, all that was needed to change perceptions was for Ethiopia to attend the EEBC. Although the date might seem early, there needed to be concrete progress prior to the March 15 date for consideration by the UNSC of next steps on the border.

18. (C) Charge explained that the USG is well aware of Ethiopia's bottom lines which are: technical discussions (Meles refers to these talks as dialogue but that is confusing as what is meant is technical discussions); the facilitation of General Fulford; and a dialogue on normalization. Like Ethiopia our objective was a lasting peace. On the first bottom line issue: there will be "technical discussions". It is our intention to proceed in accordance with international practice, as PM Meles had recommended. We were specifically looking at border resolutions for Israel/Jordan and Nigeria/Cameroon, the later which the PM himself had noted. In addition, we had a CD-ROM that indicated where the delimited border divided houses and towns; surely this condition must be addressed to ensure a lasting peace. In our view, discussions should begin in the eastern sector of the border, where delimitation divided more than 30 villages; resolving this would certainly require discussions. On the second bottom line: General Fulford would be the facilitator, thereby addressing the Ethiopian concern that the President of the EEBC was biased. However, it is our opinion that he is not biased and truly wants to

resolve this issue as a legacy for his life's work. On the third bottom line issue: We do not have guarantees on a normalization dialogue, but we clearly understand that these talks must take place if there is to be a lasting peace. The Prime Minister had agreed that normalization was not in the Algiers Accord but rather had been an idea that had in the end not become a reality. The basic issue then was timing on the normalization dialogue that would need getting agreement from Isaias. We understood Ethiopia's position that dialogue would have to take place before final demarcation.

FURTHER BILATERAL CONSULTATION WITH USG NEEDED PRIOR TO EEBC

19. (C) Minister Tekeda expressed the GOE's strong desire to hold discussions with a senior USG principal as a condition to attending the EEBC. Hailing A/S Frazer's January 20 meeting with Prime Minister Meles, Tekeda asserted that the only subsequent meeting to discuss such issues had been DAS Yamamoto's recent meeting with Ethiopian Ambassador Kassahun Ayele. "It would be difficult for Ethiopia to go to London" without being clear about the roadmap that would reassure them that the USG could resolve the border issue and not return it to "square zero". Charge suggested that the GOE could respond favorably to the EEBC's invitation, but note that its final decision would depend on "pre-discussions" with Washington. This would allow the GOE to remain a good partner in this effort. Tekeda responded that "this is

something we can look at," and acknowledged the utility of such an "ad referendum" acceptance to attend the next EEBC meeting. Still Washington should be aware that Meles was under enormous pressure to ensure that Ethiopia got an equitable solution. Tekeda concluded by noting that as Meles had told A/S Frazer, and as reiterated in its February 17 memorandum to the USG (faxed to AF/E; text follows below), Ethiopia will "go the extra mile, but there are some things that cannot be overlooked." Tekeda said that the GOE would make no judgment now on EEBC attendance, and would have to consult with Prime Minister Meles. As the border was an issue over which thousands had died, Ethiopia had to proceed carefully, he said.

¶10. (C) COMMENT: The meeting -- like that of February 22 -- was open and cordial. By the end Tekeda felt somewhat reassured, but his bottom line is a visit from DAS Yamamoto or Frazer to provide a more detailed road map. This seems reasonable to us, and it is unlikely that Ethiopia will attend without a final reassurance. END COMMENT.

TEXT OF FEBRUARY 17 MEMORANDUM TO THE USG

¶11. (C) BEGIN TEXT.

ETHIOPIA'S MEMORANDUM ON THE ALGIERS WITNESSES' PEACE INITIATIVE

Ethiopia understands that the Witnesses to the Algiers agreement will meet soon in support of the Eritrea-Ethiopia peace process and the peace initiative currently spearheaded by the US. Ethiopia also understands that the Witnesses will issue a public statement regarding this initiative. In order to maximize the initiative's chances of success, Ethiopia considers it important that the following points be taken into account concerning the Witnesses' meeting and statement:

¶1. The conflict between Eritrea and Ethiopia has its origins in Eritrea's bellicose behaviour and its unprovoked aggression of Ethiopia in 1998. This central fact has been a matter of common knowledge since the very beginning. This common knowledge has been legally re-affirmed by the Decision of the Claims Commission that Eritrea started the two year armed conflict with Ethiopia in 1998 by invading Badme and other areas of Ethiopia, without provocation, in violation of Chapter 2(4) of the UN Charter. Eritrea's claim that it acted to restore control over what it considers sovereign territory occupied by Ethiopia was dismissed by the Claims Commission which reiterated the fundamental principle of international law that a sovereign may not settle territorial claims through the threat or use of force.

In recent years Eritrea has used the same spurious argument that it used to start the war in 1998 and has been threatening again the use of force to settle the border dispute. Ethiopia has rejected such a flagrant violation of the principle of international law in 1998, and continues to do so now. The key to the dispute has therefore been and

continues to be Eritrea's bellicose attitude to resolving border disputes. Any attempt to resolve the dispute which does not address the central cause of the dispute which is Eritrea's past and present actions of resolving border disputes through the use or threat of force would, in Ethiopia's view, be misguided and unlikely to achieve sustainable peace in the region.

¶2. Ethiopia has stated that the Boundary Commission's delimitation decision are in part flawed. It has nevertheless repeatedly declared its acceptance of the flawed delimitation decision. Ethiopia has called for dialogue to implement those decisions in a manner that addresses the anomalies and impracticalities of the delimitation decision, consistent with the object and purpose of the Algiers Agreements which is sustainable peace. Ethiopia's call for dialogue is consistent with the principles of international

law and established practice. One only needs to refer to the dialogue between Nigeria and Cameroon to indicate that Ethiopia's call for dialogue on the implementation of the Boundary Commission's decision is consistent with the principles of international law and established practice.

Eritrea cannot use Ethiopia's call for dialogue as an excuse for resorting to its bellicose stance. In calling for dialogue Ethiopia has done nothing that is contrary to the principles of international law or established international practice. Ethiopia has been and will continue to be part of the solution not part of the problem. Eritrea's bellicose stance has been and continues to be the source of the problem.

¶3. Ethiopia understands that the objective of the initiative is to achieve the object and purpose of the Algiers agreement - sustainable peace and stability between the parties. This can only be accomplished when Eritrea's threats and use of force is replaced by peaceful, normal relation. If the problem is to be addressed at its roots Eritrea must cease and desist from the use and threat of force and engage Ethiopia in dialogue to implement the Boundary Commission's decision and to normalize relations between the two countries.

¶4. Ethiopia understands that the Witnesses' initiative will call for two forums to address the ongoing disputes between Ethiopia and Eritrea. The first forum would focus on achieving normalization of relations, and the second on demarcation of the border. Here, what is most vital for Ethiopia is that the resulting normalization and demarcation be consistent with the agreement's object and purpose which is sustainable peace between the parties. Ethiopia is prepared to go the extra mile in order to achieve sustainable peace.

¶5. In order for demarcation of the border to commence under the second forum, it is essential that Eritrea make a firm commitment to participate in good faith in the forum on normalization. Demarcation and normalization have to go hand-in-hand if we are to achieve sustainable peace.

¶6. Ethiopia understands that the forum on demarcation will be under the auspices of the Boundary Commission and with the good offices of General Fulford. Ethiopia believes that the Boundary Commission should be responsible for implementing the delimitation decision with respect to those areas of the boundary identified by the parties as no longer in dispute. Demarcation of these areas could commence expeditiously. With respect to the areas in dispute, the parties should determine the proper implementation of the delimitation decision through dialogue, with the mediation of General Fulford. Resolution of areas in dispute should be the product of the agreement of the parties. Once resolved, demarcation of these areas could commence expeditiously.

¶7. The Boundary Commission's field staff, under the supervision of the Boundary Commission's advisor, Mr. Robertson, would work under the direction of the Commission to complete the actual demarcation of areas no longer in dispute. The field staff would also be available to work with General Fulford to conduct fieldwork that would be beneficial to the parties in resolving the areas in dispute.

¶8. Ethiopia strongly believes that it is Eritrea's belligerent position which is at the root of the problem and that in requesting dialogue on demarcation and normalization, Ethiopia is not seeking any favours. It is simply requesting what is the internationally established practice for resolving border disputes. While Ethiopia is prepared to go the extra mile to achieve sustainable peace, it cannot go forward with an initiative which places the decision making

authority for implementing the delimitation decision regarding areas in dispute with the Boundary Commission or that does not include good faith dialogue to resolve outstanding disputes and achieve normalization. If Eritrea is not committed to these principles, then Ethiopia can only

conclude that Eritrea is not serious about restoring peace.

Ethiopia is willing to cooperate with the Witnesses. Despite Eritrea's egregious behaviour, it is willing to work toward a peaceful resolution of its dispute with Eritrea, and Ethiopia cannot give in to demands of an aggressor nation which has not yet accepted that dialogue is the only means of resolving border disputes. Ethiopia cannot therefore be expected to go beyond the initiative as understood above.

¶12. (U) END TEXT.
HUDDLESTON